

# STATE OF NEW YORK

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7314

2019-2020 Regular Sessions

## IN ASSEMBLY

April 22, 2019

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Introduced by M. of A. ENGLEBRIGHT -- read once and referred to the  
Committee on Ways and Means

AN ACT to amend the state finance law, in relation to establishing a  
procedure for the informed evaluation of proposed and enacted state  
expenditure decreases

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "procedure for informed evaluation of state expenditure decreases  
3 act of 2018".

4 § 2. Legislative findings. The legislature finds that the expenditures  
5 of state funds for operations, maintenance, programs, activities and  
6 assistance have significant and complex impacts on the economic, social  
7 and environmental conditions in both the public and private sectors.  
8 Federal funding and matching funds from municipal and private sources,  
9 for example, can be affected by changes in levels of state expenditures  
10 and negative secondary impacts from cuts like the failure to maintain  
11 state property can damage the health, safety and welfare of the people  
12 and economy of the state.

13 The legislature further finds that during a volatile economic time  
14 decisions are made to cut or impound expenditures, eliminate or downsize  
15 programs and/or lay off state employees without adequate evaluation of  
16 the consequences thereof.

17 Therefore, the legislature declares that an analytical process should  
18 be required and information therefrom should be available to the public  
19 when a decrease in state expenditure from funds appropriated in the  
20 immediate previous state budget is proposed in a state budget bill, or  
21 before a reduction in expenditure or lay off of state employees is  
22 imposed during the implementation of an enacted state budget.

23 § 3. The state finance law is amended by adding a new section 21-a to  
24 read as follows:

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD09511-01-9

1     § 21-a. Informed evaluation of state expenditure decreases. 1. The  
2 governor shall submit to the chairman of the senate finance committee  
3 and the chairman of the assembly ways and means committee for use of  
4 such committees, and provide the legislature and the public for their  
5 information, (a) at or prior to the time the budget is submitted, an  
6 evaluation pursuant to subdivision two of this section of the direct and  
7 indirect economic, social and environmental impacts of any decrease in  
8 the amount of the appropriation from the previous fiscal year for any  
9 state program, activity or assistance, for local government assistance  
10 or for a public purpose by a not-for-profit organization supported, in  
11 whole or in part, by state funds, and (b) not less than forty-five days  
12 before the implementation of the impoundment of appropriated funds  
13 and/or layoff of state employees affecting, directly or indirectly, any  
14 state program, activity or assistance, for local government assistance  
15 or for a public purpose by a not-for-profit organization supported, in  
16 whole or in part, by state funds, an evaluation pursuant to subdivision  
17 two of this section of the direct and indirect economic, social and  
18 environmental impacts thereof.

19     2. An evaluation of decreases or elimination of state expenditures  
20 shall include, but not be limited to:

21     (a) identification of whether such state expenditure would have been  
22 used for a statutory mandated purpose, a description of such purpose and  
23 an estimate of financial return from such funding;

24     (b) identification of whether such state expenditure would have been  
25 used for a non-mandated service;

26     (c) identification of whether there has been or would be a revenue  
27 generator multiplier greater than the amount of the state expenditure;

28     (d) identification of the cost to the state, municipalities and/or  
29 private sources, if any, that may result from the decrease in state  
30 funding or employees, including the loss of matching funds from sources  
31 outside state government. In estimating such cost, consideration shall  
32 be taken of the ability of the affected state units and their ability to  
33 sustain the cuts and loss, if any, of revenue to the state or munici-  
34 palities or from the multiplier effect on the private sector; and

35     (e) identification of the estimated net benefit to the state treasury  
36 of decreases or elimination of state expenditures and/or the layoff of  
37 state employees.

38     3. Not less than twenty days before such evaluation is submitted to  
39 the legislature, the governor shall cause to be held a public hearing  
40 available by internet webcast on the proposed decrease in state expendi-  
41 ture and/or layoff with the opportunity provided to the public for  
42 comment by electronic mail. The record of and responses to such hearing  
43 shall be included with the submittal of the evaluation to the legisla-  
44 ture and shall be available to the public.

45     § 4. This act shall take effect immediately.